

**AMENDMENTS TO THE DRAWINGS**

The attached drawing sheets include changes to Figures 7, 26 and 27. In Fig. 7, "FILTE has been changed to --FILTER--. Additionally, Figures 26 and 27 have been amended to include a legend indicating --Prior Art--.

Attachment: Three (3) Replacement Drawing Sheets.

**REMARKS****I. STATUS OF THE CLAIMS**

Claims 1-15 are currently pending in the application and claims 1-9, 11, 13 and 15. Claims 10, 12 and 14 are withdrawn from consideration.

By this Amendment, claim 13 has been amended. No new matter has been introduced by this Amendment. Upon entry of this amendment, claims 1-15 would still be pending.

**II. DRAWINGS**

The Examiner has objected to Figure 7 because "FILTER" is misspelled as "FILTE" in block 704. Additionally, the Examiner has objected to Figures 26-27 because they should include a legend such as -PRIOR ART-. In accordance with the Examiner's suggestions these figures have been amended according to the Examiner's suggestion. Attached herewith are replacement drawings for each of these figures. Entry and approval of these drawings are respectfully requested.

**III. SPECIFICATION**

The Examiner has objected to the title of the specification because it is not descriptive. To address this objection, the title has been amended as follows: SIGNAL PROCESSING APPARATUS AND IMAGE DATA GENERATION APPARATUS WITH ELECTRONIC REDUCTION AND ENLARGEMENT SIGNAL PROCESSING CAPABILITIES. Thus, reconsideration and withdrawal of the objection to the title are respectfully requested.

#### IV. CLAIM OBJECTIONS

The Examiner has objected to claims 1-9 and 13 because they contain the limitation of a second signal processing means which “increases[es] a number of pixels to be recorded than that of the acquired pixels when the magnification ratio of the image is to be decreased”. The Examiner alleges that this is not clear from the specification.

The Applicant respectfully disagrees. It appears that there is some confusion in the Office Action concerning the first and second signal processing means in the context of the exemplary embodiments in the specification. For example, the first signal processing means is reduction processing circuit 205 and the second processing means is enlargement processing circuit 206, as shown in Fig. 2. In operations, such as in Figure 9 and 22, the first signal processing is implemented in Electronic Zoom 1 and the second signal processing is implemented in Electronic Zoom 2, both of which have separate view ranges as shown by the corresponding bi-directional arrows. That is, in magnification ratio may be increased or decreased in both Electronic Zoom 1 (e.g., where magnification ratio  $< 1$ ) and in Electronic Zoom 2 (e.g., where magnification ratio  $> 1$ ). As indicated in the specification with respect to Fig. 22, “when the extraction image size changes from the frame 1903 to the frame 1905, extraction image size  $<$  recording image size.” Thus, second signal processing may be utilized after the limit of the first signal processing has been reached (e.g., where magnification ratio  $> 1$ ); however, within the range of the second signal processing (i.e., Electronic Zoom 2), the magnification ratio may be decreased but still satisfy the requirement that extraction image size  $<$  recording image size.

Accordingly, these claims are believed to be consistent and supported by the exemplary embodiments of the specification. Reconsideration and withdrawal of these objections are respectfully requested.

**V. CLAIM REJECTIONS – 35 U.S.C. §101**

Claim 13 is rejected under 35 U.S.C. 101 because, according to the Examiner, the claimed invention is directed to non-statutory subject matter. Claim 13 has been amended to reflect that the program is stored or encoded on a computer readable medium. Accordingly, claim 13 as amended is believed to be directed to statutory subject matter.

**VI. CLAIM REJECTIONS – 35 U.S.C. § 102**

Claim 15 is rejected under 35 U.S.C. § 102(b) as being anticipated by Itou (JP 2001-197347). The Applicant respectfully traverses this rejection for the following reasons.

Claim 15 is directed to an arrangement including a first electrical zoom means for extracting the image having the predetermined number of pixels from the sensed image to obtain an enlarged image, a second electrical zoom means for extracting a partial image of the enlarged image and enlarging the partial image to the image having the predetermined number of pixels to obtain an enlarged image, and a switching means for switching between (1) image sensing which is to be executed by using both of said first electrical zoom means and said second electrical zoom means and (2) image sensing which is to be executed by using only said first electrical zoom means.

That is, as claimed, there are two electrical zoom means (i.e., first and second) to obtain an enlarged image and two different ways of performing image sensing in accordance with the set value, i.e., (1) using both electrical zoom means to obtain an enlarged image or (2) using only the first electrical zoom means to obtain an enlarged image.

On the contrary, Itou as relied upon by the Examiner simply shows a single transform process (e.g., electrical zoom process) which may or may not be restricted depending

on whether such processing may result in undesirable degradation in image quality. Thus, Itou is silent as to the two claimed first and second electrical zoom means, and is also silent as to the claimed switching means for switching between (1) image sensing which is to be executed by using both of said first electrical zoom means and said second electrical zoom means and (2) image sensing which is to be executed by using only said first electrical zoom means. Accordingly, claim 15 is believed to be distinguishable over the cited reference.

## VII. CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 1, 7-9, 11, 13 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Itou (JP 2001-197347) in view of Parulski (US 6,539,177). Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Itou in view of Parulski in further view of Hashimoto (US 4,910,599). Claims 4-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Itou in view of Parulski in further view of Hirose (US 5,838,371). The Applicant respectfully traverses this rejection for the following reasons.

[1] For the purpose of these rejections in view of the objection of the claims (discussed above), the Examiner interpreted claims 1, 11 and 13 as requiring a second signal processing means which “increase[es] a number of pixels to be recorded when the magnification ratio of the image is to be increased”. As noted above, the Applicant believe that these independent claims are proper with respect to the language of the second signal processing means.

Since these rejections are based on an erroneous interpretation of the second signal processing means, the rejection is unsupported and a prima facie case of obviousness has not been established. Furthermore, along these lines, the cited references do not appear to

disclose or suggest the claims second signal processing means which increases a number of pixels to be recorded when the magnification ratio of the image is to be decreased, as claimed.

[2] Further, claims 1, 11 and 13 further recite both a first signal processing means/step (e.g., decreasing pixels) and a second signal processing means/step (e.g., increasing pixels) and the utilization of both or only one of the two means/steps in particular circumstances. Examples are provided in the specification with respect to Figs. 1 and 13. On the contrary, Itoh simply shows a single transform process (e.g., electrical zoom process) which may or may not be restricted depending on whether such processing may result in undesirable degradation in image quality. Parulski is simply relied upon as allegedly teaching different modes. Thus, the cited references are still silent as to two signal processing means/step in which both or only one may be employed under certain claimed circumstances.

[3] Furthermore, Itoh discloses providing a warning indicating that a digital zoom operation is inhibited. However, providing such a warning is completely different from having two operational modes: a first mode that does not inhibit a second signal processing and a second mode that inhibits the second processing. Namely, "a warning" does not inhibit the digital zoom operation. As clearly described in paragraphs [0042], the digital zoom operation can be effective even the "warning" is provided. This means that the user may allow the digital zoom operation erroneously or unintentionally.

In contrast, the claimed arrangement of claims 1, 11 and 13 can avoid for example such an erroneous or unintentional operation by having the second mode that inhibits the second signal processing.

The remaining reference Parulski merely discloses that a user can set a revision suggestion of a camera to be ON or OFF. That is, the revision suggestion 138 (Fig. 26) will be displayed or not displayed depend on the user setting.

The Examiner alleges that Parulski is combinable with Itoh to render obvious the claimed arrangements. The Applicant respectfully disagrees because providing a “warning” cannot replace turning ON or OFF the suggested combination. Therefore, one of ordinary skill in the art would not combine the references in such a manner. Further, even combining Parulski with Itoh, such combination merely leads to turning ON or OFF of “warning” when the digital zoom operation is applied. Consequently, Itoh and Parulski are silent about at least having the first mode that does not inhibit the second signal processing and the second mode that inhibits the second processing.

In view of the foregoing, claims 1, 11 and 13 and their dependent claims are believed to be distinguishable over the cited references, individually or in combination.

Finally, the Office Action has not addressed why claim 15 is rendered obvious in view of Itoh and Parulski and thus has not established a prima facie case of obviousness. Further, claim 15 is believed to be distinguishable over the cited references in view of the above remarks with respect to claim 15.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

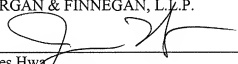
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5318. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No 13-4500, Order No. 1232-5318. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: September 28, 2007

By: \_\_\_\_\_

  
James Hwa  
Registration No. 42,680

Correspondence Address:

Address Associated With Customer Number:  
27123

(202) 857-7887 Telephone  
(202) 857-7929 Facsimile